

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested. Currently, claims 77-91, 94-109, and 112-115, including independent claims 77 and 98, are pending in the present application.

The Office Action rejected claims 77-84, 88-91, 94-102, 106-109, and 112-115 under 35 U.S.C. §103(a) in view of International Publication No. WO 02/32475 to Teoh, et al.,¹ combined with U.S. Patent No. 5,284,607 to Chen, and further combined with U.S. Patent No. 3,740,262 to Agostinelli.² Also, claims 85-87 and 103-105 were rejected in view of the same combination plus U.S. Publication No. 2003/0100694 to Holguin. Applicants respectfully assert that independent claims 77 and 98 are patentable over the cited references.

Teoh, et al. is directed to a neoprene article that is formed by dipping a former into a neoprene or neoprene copolymer latex. Certain types of anionic anti-tack agents are employed to reduce the tack of the article. In one embodiment, the neoprene latex-coated former is primed by dipping into dilute acid, rinsed and dried, and then dipped into a hydrogel latex. A surfactant material may then be applied to the article by tumbling in a solution. As correctly noted by the Examiner, however, Teoh, et al. fails to disclose certain aspects of the present claims. For instance, Teoh, et al. fails to disclose the application of a lubricant coating containing a silicone emulsion to the outer surface of the substrate body while the inner surface of the substrate body remains

¹ In this response, Applicants rely on U.S. Patent Application Publication No. 2004/0096686 as an equivalent to the WO '475 publication.

² The Office Action inadvertently left out the patent number of the Agostenilli. Applicants' Attorney thanks Examiner Vargot for identifying this reference in the voice mail of Feb. 14, 2008. Since this reference is technically not of record, Applicants have included it in an Information Disclosure Statement submitted with this Response.

adjacent to the hand-shaped former. Additionally, Teoh, et al. fails to teach chlorination of the glove while the glove is still on the former.

In order to overcome the deficiencies of Teoh, et al., the Office Action cites to Chen and Agostinelli. However, one of ordinary skill in the art having common sense at the time of the invention would not have modified Teoh, et al. as attempted by the Office Action. Teoh, et al. discloses that chlorination of the glove is a “serious disadvantage” which is both expensive and can potentially have deleterious effects on the properties of the finished glove. (¶ 0003) In order to overcome the problems associated with chlorination of the glove, Teoh, et al. is primed and then dipped into a solution of a hydrogel-forming polymer. This hydrogel-forming polymer is used “instead” of chlorinating the glove. (¶ 0018) The invention of Teoh, et al. is said to avoid these significant disadvantages without resorting to the conventional method of chlorination. (¶ 0006) The disclosure that these steps are mutually exclusive would not lead one of ordinary skill in the art to chlorinate the glove of Teoh, et al. coated with the hydrogel-forming polymer, especially since the desired tack is already achieved without chlorination. Thus, Applicants respectfully submit that it would not be obvious to one of ordinary skill in the art to chlorinate the glove of Teoh, et al. – no matter the order – upon consideration of Teoh, et al.’s teachings.

In any event, the Office Action first cites to Chen in an attempt to overcome the deficiencies of Teoh, et al. Chen is directed to a process for making a powder-free glove that includes (i) dipping a former into a coagulant; (ii) dipping the former into an elastomer; (iii) dipping the former into an antiblocking composition; (iv) curing; and (v) dipping the former into a silicone emulsion. Once formed, the glove is then removed

and inverted so that the first layer is on the outside of the glove. The glove is then treated with an acid to dissolve the acid-soluble powder, treated with a bleach (i.e., chlorinated), treated with a silicone emulsion, and dried. The previous Office Action asserted that it would have been obvious to use the silicone emulsion dip-coating step of Chen in Teoh, et al. because “maintaining the form on the former would provide an easy an uniform method of coating a lubricant onto a glove, and would also provide improved donnability.”³

One of ordinary skill in the art having common sense at the time of the invention would not have made the combination proposed in the Office Action. Teoh, et al. describes a “conventional” multi-dipping process typically involves (i) dipping a former into a surfactant slurry, powder, and silicone; (ii) curing; (iii) stripping and inverting the glove; and (iv) chlorinating. Teoh, et al. notes that this conventional multi-dipping process is “complicated” and “time-consuming”, and has the “serious disadvantage of requiring chlorination which is both expensive and can potentially have deleterious effects on the properties of the finished glove.” (¶ 0003). The invention of Teoh, et al. is said to avoid these significant disadvantages without resorting to the conventional method of chlorination. (See e.g., ¶ 0006). Notably, this disadvantageous, conventional process is similar to Chen, which also requires multiple complicated and time-consuming dipping steps, and even expressly requires chlorination.

The opposing teachings of Chen and Teoh, et al. do not end here. An essential feature of Teoh, et al. is the use of a hydrogel layer to reduce tackiness. In stark

³ The present Office Action cites to the previous Office Action for the reasoning for combining Teoh, et al. and Chen.

contrast, Chen expressly teaches away from elastomeric articles with such a construction, noting that they are not capable of achieving adequate donnability. (Col. 1, ll. 47-54). Thus, Teoh, et al. and Chen expressly teach away from each other. For at least this reason, no rational would have existed for one of ordinary skill in the art having common sense to combine the references in the manner proposed in the Office Action.

Even if one were to ignore the vast differences between Teoh, et al. and Chen, however, no rational would have existed for modifying Teoh, et al. as suggested in the Office Action. Although Chen does include a step in which a silicone emulsion is dip-coated onto a glove layer, Chen itself teaches away from the use of this step. Namely, because subsequent processing may remove the silicone from the glove surface, Chen requires a second silicone treatment process after the glove is stripped. (Col. 4, ll. 45-54). In light of the above, one of ordinary skill in the art would simply not have selectively chosen the "pre-stripping" silicone dip-coating step for combination with Teoh, et al. as Chen itself indicates that the silicone applied in this step may be subsequently removed. If anything, one of ordinary skill in the art would have instead chosen the "post-stripping" silicone application step, as already described in Teoh, et al.

For arguments sake, if Teoh, et al. and Chen are combined as attempted by the Office Action, the combination still fails to teach or even suggest all of the limitations of independent claims 77 and 98. Specifically, neither cited reference discloses chlorination of the glove while the glove is still on the former. The Office Action cites to Agostinelli for the disclosure of chlorinating a glove while it is still on the former prior to stripping. Agostinelli teaches a method for manufacturing a latex article (e.g., a latex

surgeon's glove). The article has a powder attracting surface (the inside, donning surface) and a powder rejecting surface (the outside surface). (Col. 1, lines 14-16.) The method of Agostinelli includes (1) dipping the former in a coagulant of natural rubber, (2) dipping the former in a rubber latex solution, (3) drying, (4) halogenating. (Col. 2, lines 29-42.) After halogenation, the glove is stripped from the former while a lubricating or dusting powder is applied to the glove. (Col. 3, lines 2-5). When the glove is stripped, it is turned outside in. After the stripping operation, the glove is reversed to its normal position and tumbled to remove the lubricating powder from the outside thereof. (Col. 3, lines 8-11.) As a result of this process, the powder side is the inner, donning layer of the glove, while the halogenated side is the outer surface. Thus, the combination Agostinelli to the cited references, even if made absent any rational to do so, would result in the halogenation of the outer surface of the glove – not the inner, donning surface as required by independent claims 77 and 98.

Applicants respectfully submit that one of ordinary skill in the art, having common sense at the time of the invention, would not have utilized the halogenating step of Agostinelli to halogenate the inner, donning layer of a glove. Agostinelli discloses that the halogenation of the glove is useful on the outer surface to reduce the affinity of the outer surface for the lubricating powder. Halogenating the inner surface of the glove disclosed by Agostinelli would effectively destroy its intended purpose. Specifically, the lubricating powder would not stick to the inner surface of the glove, preventing its usefulness as disclosed by Agostinelli.

Agostinelli is directed to the use of powdered gloves, which are precisely the gloves that both Teoh, et al. and Chen are intended to avoid. As such, one of ordinary

skill in the art would not have looked to any disclosure of Agostinelli when looking to modify Teoh, et al. and/or Chen.

Furthermore, as explained above, Teoh, et al. teaches away from chlorination in any step. Likewise, Chen teaches away from chlorination prior to stripping from the former. Chen describes a “conventional” multi-dipping process that involves (i) dipping a former into a coagulant; (ii) dipping into an elastomer; (iii) dip-coating the antiblocking particles; (iv) curing; (v) stripping and inverting the glove; and (iv) chlorinating. Thus, Chen expressly teaches chlorination only after stripping of the glove from the former. This conventional process is precisely the type of process that the presently claimed method avoids.

As such, Applicants respectfully submit that *prima facie* obviousness has not been established, and request withdrawal of the obviousness rejection. Furthermore, Applicants submit that claims 77 and 98 are patentable over the cited references, either alone or in any combination.


Nevertheless, even if somehow combined, the references would still fail to disclose each limitation of independent claims 77 and 98. That is, claims 77 and 98 require that the lubricant coating is applied to the “hydrogel-coated substrate body.” In this manner, the hydrogel coating may block the surface of a tacky substrate body and prevent it from sticking to itself, while the lubricant coating may aid in damp donning. (See e.g., Appl. p. 5). Such a method is not taught anywhere in the cited references. Thus, for at least the reasons set forth, Applicants respectfully submit that independent claims 77 and 98 patentably define over any combination of Teoh, et al., Chen, and Agostinelli.

It is believed that the present application is in complete condition for allowance and favorable action, is therefore requested. Examiner Vargot is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,

DORITY & MANNING, P.A.

A handwritten signature in black ink, appearing to read 'Alan R. Marshall', is written over a horizontal line.

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